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September 14, 1995

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Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W. Room 222
Washington, DC 20554

FEDERAL COMMUNICATIONS COMMISSION
SEP 14 1995

RE: CC Docket No. 92-166

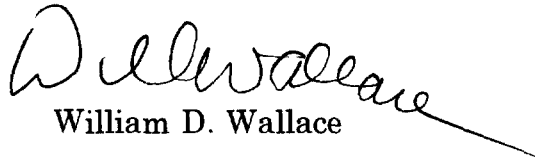
EX PARTE PRESENTATION

Dear Mr. Caton:

On September 13, 1995, during the late afternoon, Dale Gallimore and William D. Wallace representing Loral/QUALCOMM Partnership, L.P. (LQP) met with Tom Tycz and Karl Kensinger of the Satellite & Radiocommunication Division of the International Bureau. LQP made a presentation based on the enclosed material concerning procedures for making unconditional feeder link assignments to MSS Above 1 GHz licensees. See Report & Order, FCC 94-261, ¶ 166 (released Oct. 14, 1994).

Two copies of this letter are being submitted for inclusion in the file referenced above.

Respectfully submitted,


William D. Wallace

Enclosure

cc: Tom Tycz
Karl Kensinger

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Loral/QUALCOMM Partnership, L.P.
September 13, 1995

Possible Methods to Expedite Assignment of Feeder Links to Big LEO Licensees

1. Expedited NPRM

- Purpose: To adopt WRC-95 NGSO MSS feeder links into U.S. Table
- Timing: NPRM to be completed by end of January 1996 so that adoption of allocations coincides with processing feeder link requests of Big LEO licensees and any qualified applicants
- Issues: NPRM should be restricted to one issue -- whether to adopt WRC-95 decisions on NGSO MSS feeder links into U.S. Table
- Advantages: One NPRM to resolve all new feeder link allocations; all licensed Big LEO systems are assigned feeder links contemporaneously
- Analyses related to proposed feeder links have been debated in prior proceedings; few new issues to resolve

2. Interim Allocation

- Purpose: To adopt NGSO MSS feeder link allocations on an interim basis to make spectrum assignments feasible immediately after WRC-95 but prior to completion of U.S. allocation proceeding
- Timing: Interim allocations adopted immediately after WRC-95; feeder link assignments are ready for grant by January 1996
- Issues: Rationale for interim allocation --
- o NGSO MSS feeder links would be assigned only to at most six global systems so that there would be a limited number of parties using spectrum
 - o A limited number of other parties would be affected, and domestic coordination with other users and the Big LEO systems would be required in any event
 - o Urgent circumstances because of international coordination process warrant not waiting until potentially lengthy rulemaking process is completed

- Issues related to feeder links have been debated in prior proceedings
- Need for immediate certainty as systems construct and seek investments in U.S. and global markets
- WRC-95 allocations themselves may be time limited (e.g., NGSO MSS feeder links in 5 GHz)

Advantages: Granting early authority to operate in compliance with International Table would achieve U.S. objectives to obtain leadership in LEO service markets and provide enhanced services to domestic markets

Permanent allocation proceeding could be delayed to take into account more information on Big LEO feeder link operations

3. Waiver of Section 2.106

Purpose: To assign feeder links to each individual Big LEO system in conformance with WRC-95 allocations

Timing: Feeder link assignments could be made anytime by waiver

Issues: Good cause for waiver --

- Global systems must obtain authorizations not only in U.S. but also in multiple countries, and immediate certainty in U.S. would assist in that process
- Coordination with multiple administrations is required and systems need to start that process in order to commence launches in 1997
- Only a limited number of parties would be granted authority for a non-conforming use (which may become conforming after NPRM to adopt WRC-95 allocations)
- Interests of other users in spectrum could be protected through conditions on domestic coordination
- Waiver could be time-limited based on relevant ITU footnotes adopted at WRC-95

Advantages: Spectrum assignments could be based on needs and preparedness of individual systems

Assignments could be made conditional on reasonable coordination requirements